



Patent
Attorney's Docket No. 040070-244

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
Kjell Gustafsson et al.)	Group Art Unit 2682
Application No. 09/348,494)	Examiner Nghi H. Ly
Filed: July 7, 1999)	Confirmation No. 5321
For: Controlled Antenna Diversity)	

#17/Recons.
MAY
4/10/03

RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed on January 2, 2003, the following remarks are respectfully submitted.

REMARKS

Claims 1-20 are pending.

The allowance of claims 3-5 and 14-16 is gratefully acknowledged.

Claims 1, 2, 6-13, and 17-20 stand rejected for obviousness over a combination of "prior art admitted by applicant in figure 3 of the present specification" and U.S. Patent No. 4,823,398 to Hashimoto ("Hashimoto"). These rejections are respectfully traversed.

As discussed in the Brief for Appellant filed on November 1, 2002, FIG. 3 depicts a diversity communication system, such as the IMT 2000 system. In FIG. 3, a first antenna 310 receives radio signals that are provided to a first RF processor 330, and a second antenna 312 receives radio signals that are provided to a second RF processor 332. The RF processors 330, 332 produce respective intermediate signals that are provided to a base band processor 340.

The pending Action admits that FIG. 3 fails to disclose selectively activating and deactivating the second RF processor based on whether diversity is appropriate and tries to remedy this deficiency with Hashimoto, referring to Hashimoto's FIG. 1 and col. 2, ll. 49-59. Hashimoto's FIG. 1 shows two receivers 3, 4, a switch 7, which

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Kjell GUSTAFSSON et al.

Application No.: 09/348,494

Filing Date: July 7, 1999

Title: CONTROLLED ANTENNA DIVERSITY

Group Art Unit: 2682

Examiner: Nghi H. Ly

Confirmation No.: 5321

AMENDMENT/REPLY TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

- ☐ A Petition for Extension of Time is also enclosed.
- ☐ Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☐ Also enclosed is/are _____.
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) previously submitted _____ on _____, for which continued examination is requested.
- ☐ Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also
- ☒ No additional claim fee is required.

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☐ Charge _____ to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

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Date: April 2, 2003

By



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I hereby certify that this correspondence is being by facsimile transmission to the Assistant Commissioner for Patents, Washington, D.C. 20231 to the following facsimile number:

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Date of Transmission: April 2, 2003


Heather Rattelade

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ATTORNEYS AT LAW

AMENDMENT/REPLY TRANSMITTAL LETTER

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